

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**February 20, 2001**

At 9:31 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Blease, Acting Presiding Justice; Sims, Associate Justice; Nicholson, Associate Justice, and Rios, Bailiff. Calendar Called.

**C034181      ANDRUS v. COREGIS INSURANCE COMPANY et al.,**  
Cause Called. Larry Caldwell argued for appellant and additional citations were received. Bradley W. Jacks argued for respondent Coregis et al., and Michelle L. Burton argued for respondent Sedgwick. Cause submitted.

At 9:32 a.m., the court recessed. At 10:04 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Davis and Associate Justice Hull.

**C032796      GARCIA v. ERNST & ASSOCIATES et al.,**  
Cause called. Frear Stephen Schmid argued for appellant. Shelley Green argued for respondents Roger Ernst & Associates et al. and Janine C. Ogando argued for remaining respondents. Michael J. Hassen appeared only. Cause submitted.

At 10:51 a.m., the court recessed. At 10:56 a.m., the court reconvened with Acting Presiding Justice Nicholson, Associate Justice Callahan and Associate Justice Hull.

**C032451      THE PEOPLE v. SIMPSON**  
Cause called. Peter A. Galgani argued for appellant and additional citations were received. W. Scott Thorpe argued for respondent. Cause submitted.

At 11:20 a.m., the court recessed. At 2:01 p.m., the court reconvened.

**C032143      THE PEOPLE v. BURGESS**  
Cause called. Victor J. Morse argued for appellant and additional citations were received. John A. O'Sullivan argued for respondent. Cause submitted.

At 2:25 p.m., the court recessed until 9:30 a.m., Wednesday, February 21, 2001.

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**The Minutes**

**February 21, 2001**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present: Sims, Acting Presiding Justice; Nicholson, Associate Justice; Kolkey, Associate Justice; and Castillo, Bailiff. Calendar Called.

**C035181      LOPEZ et al., v. WILCOXEN, MONTGOMERY & HARBISON et al.,**  
Cause called. S. Pacheco Jo argued for appellants. Michelle C. Jenni argued for respondents. Cause submitted.

At 10:22 a.m., the court recessed. At 10:29 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Nicholson and Associate Justice Raye.

**C030552      GOMEZ v. GOMEZ**  
Cause called. Peter J. Stubbs argued for appellant. Danielle Rose Ann Gomez argued In Pro Per. Cause submitted.

At 10:52 a.m., the court recessed. At 10:56 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Raye and Associate Justice Kolkey.

**C033351      MEDICAL BOARD OF CALIFORNIA v. THE SUPERIOR COURT OF  
SACRAMENTO COUNTY, LAM**  
Cause called. Robert C. Miller argued for petitioner. Paul Spackman argued for respondent and real party in interest. Cause submitted.

At 11:28 a.m., the court recessed until 9:30 a.m., Friday, February 23, 2001.

**C032512      THE PEOPLE v. McCOY et al.                      (Not for Publication)**  
The judgments are affirmed.  
                                 HULL, J.  
I concur:                Davis, J.  
I concur in the result.  
                                 Blease, Acting P.J.

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**The Minutes**

**February 21, 2001, continued**

- C032892      THE PEOPLE v. FLETCHER      (Not for Publication)**  
The judgment in case No. 97F00551 is modified to include a \$200 parole fine pursuant to section 1202.45 and the trial court is directed to prepare an amended abstract of judgment reflecting the parole fine.
- The trial court is also directed to add the crime prevention fine and the booking and classification fees imposed in case No. 98F008779 to eight years (four years doubled for the strike prior), and to correct defendant's middle initial to "E." As modified, the judgment is affirmed. The trial court shall forward a certified copy of the abstract of judgment to the Department of Corrections.
- HULL, J.  
We concur:    Davis, Acting P.J.  
                 Callahan, J.
- C032920      THE PEOPLE v. ELROD      (Not for Publication)**  
The judgment is affirmed.
- HULL, J.  
We concur:    Blease, Acting P.J.  
                 Kolkey, J.
- C034308      THE PEOPLE v. HURST      (Not for Publication)**  
The judgment is affirmed.
- HULL, J.  
We concur:    Blease, Acting P.J.  
                 Callahan, J.
- C035252      THE PEOPLE v. LEON      (Not for Publication)**  
The judgment is affirmed.
- HULL, J.  
We concur:    Callahan, Acting P.J.  
                 Kolkey, J.
- C035406      THE PEOPLE v. GATES      (Not for Publication)**  
The judgment is affirmed.
- BLEASE, Acting P.J.  
We concur:    Callahan, J.  
                 Hull, J.

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**The Minutes**

**February 21, 2001, continued**

- C036062      THE PEOPLE v. DEHAAS      (Not for Publication)**  
The judgment is modified to provide for a midterm sentence for failure to register with one-thirds of said sentence, or eight months, doubled for the strike prior, to be served. The trial court shall prepare an amended abstract of judgment accordingly, shall further correct the abstract to reflect custody credit awarded of 275 actual days for a total of 411 days, and shall forward a certified copy of said abstract to the Department of Corrections. In all other respects, the judgment is affirmed.  
RAYE, J.  
We concur: Davis, Acting P.J.  
Nicholson, J.
- C036215      THE PEOPLE v. PATCHETT      (Not for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We concur: Nicholson, J.  
Hull, J.
- C032347      FILIP v. BUCURENCIU      (Not for Publication)**  
The judgment is affirmed.  
HULL, J.  
We concur: Sims, Acting P.J.  
Kolkey, J.
- C034089      In re JESSE M., THE PEOPLE v. JESSE M.      (Not for Publication)**  
**C034916**  
Count III, charging grand theft from the person, is reversed and the trial court is directed to dismiss the count. In all other respects, the findings and order committing the minor to the California Youth Authority are affirmed. The juvenile court is directed to amend its records accordingly and to forward a copy of the order committing the minor to the California Youth Authority to the director of that facility.  
HULL, J.  
We concur: Scotland, P.J.  
Sims, J.
- C035769      In re ARIELLE E., SACRAMENTO COUNTY DEPARTMENT OF  
HEALTH AND HUMAN SERVICES v. ANGELA E.      (Not for Publication)**  
The orders are affirmed.  
SCOTLAND, P.J.  
We concur: Blease, J.  
Sims, J.



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**The Minutes**

**February 23, 2001, continued**

- C035475      THE PEOPLE v. ZAVALA      (Not for Publication)**  
The judgment is modified to reflect the imposition of a \$50 state penalty assessment (Pen. Code, § 1464) and a \$35 county penalty assessment (Gov. Code, § 76000) upon each laboratory fee, for a total of \$100 in state penalty assessments and \$70 in county penalty assessments applicable to each laboratory analysis fee. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections.
- As modified, the judgment is affirmed.  
MORRISON, J.  
We concur: Davis, Acting P.J.  
Nicholson, J.
- C036574      THE PEOPLE v. FALCON      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We concur: Davis, J.  
Callahan, J.
- C032241      ANTHEM LIFE INSURANCE CO., v. DAVIS AND JOHNSON**  
Respondent's petition for rehearing is denied.  
SCOTLAND, P.J.